

EASTERN DISTRICT OF TEXAS

CIVIL ACTION NO. 1:16-CV-94

Defendants.

A prisoner represented by counsel has no constitutional right of access to a law library because his access to court is provided by his attorney. *See Degrate v. Godwin*, 84 F.3d 768,

768-69 (5th Cir. 1996) (“[T]he fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries *or* adequate assistance from persons trained in the law”) (citation omitted); *see also Caraballo v. Federal Bureau of Prisons*, 124 F. App’x. 284, 285 (5th Cir. 2005) (holding that because prisoner had court-appointed counsel, he had no constitutional right of access to the law library to help prepare his defense, and therefore failed to state a claim upon which relief may be granted). Here, because Plaintiff acknowledges he was represented by counsel at the time he wanted law library access, his allegations that he was denied adequate access have no basis in law.

O R D E R

Accordingly, Plaintiff’s objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge’s recommendation.

SIGNED at Beaumont, Texas, this 24th day of April, 2017.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE